

City of Santa Barbara

**CREEKS RESTORATION AND WATER QUALITY IMPROVEMENT  
CITIZENS ADVISORY COMMITTEE**

**Regular Meeting**

Wednesday, September 13, 2006

**MINUTES**

The regular meeting of the Creeks Restoration and Water Quality Improvement Program Citizens Advisory Committee was called to order by Chair DeVoe at 5:38 p.m. at the Parks and Recreation Department Conference Room.

**1. CALL TO ORDER**

**2. ROLL CALL**

**Members Present**

Myfanwy DeVoe (Chair)	Environmental/Land Use
Daniel E. Hochman	Hotel/Lodging Industry
Michael Jordan (Vice Chair)	Business Community
Lee Moldaver	Environmental/Land Use
David Pritchett	Environmental/Land Use
Daniel Wilson	Community at Large

**Members Absent**

Bruce Klobucher	Ocean Users
Jeff Phillips	Environmental/Land Use
George Weber	Environmental/Land Use

**Liaison Representatives Present**

Beebe Longstreet	Park and Recreation Commission
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**Liaison Representatives Absent**

Rob Almy	County Project Clean Water Liaison
Iya Falcone	City Council Liaison
John Jostes	Planning Commission Liaison

**Staff Present**

Jill E. Zachary	Creeks Restoration/Clean Water Manager
Autumn McKee	Water Resources Specialist
Tim Burgess	Water Resources Specialist

**3. APPROVAL OF MINUTES OF THE SPECIAL MEETING OF AUGUST 16, 2006.**

Mr. Pritchett requested that his and Mr. Phillips' presence at the work session be added to the minutes. Ms. Zachary responded that their attendance is noted on the work session memorandum and not the regularly scheduled meeting minutes because they arrived after the meeting was adjourned.

**ACTION:**

**Hochman moved, seconded by Moldaver, and passed 5/6 that the Committee approve the minutes of the regular meeting of August 16, 2006. DeVoe abstained.**

**4. AGENDA ADJUSTMENTS**

None.

**6. PUBLIC COMMENT**

None.

**6. ANNOUNCEMENTS**

Mr. Jordan announced that the City's Clean Sweep street sweeping program will begin in the lower Mesa, Hidden Valley and Hope Ranch Annex neighborhoods. He said that there is a public meeting scheduled for Thursday, September 14<sup>th</sup> at 6:00 p.m. at Casa Las Palmas on Cabrillo Boulevard near the Carousel.

Mr. Jordan announced that the City Council approved 4-year term limits for Creeks Advisory Committee members. He said that member qualifications and committee size will be addressed at the October 3<sup>rd</sup> Council meeting.

Mr. Moldaver announced that the California Ocean Protection Council will host a western states regional conference in Long Beach. He said that topics include the connection between coastal watershed and marine water quality, sediment deposition, and public health issues.

**7. BUSINESS ITEMS**

**a. Update on Storm Water Management and Illicit Discharge Enforcement Programs**

Ms. McKee, Water Resources Specialist, stated that the Storm Water Management Program (SWMP) was submitted to the Regional Water Quality Control Board in April 2006. She stated that although the Board has not yet approved the SWMP, the City has begun implementation.

Ms. McKee stated that SWMP implementation is an interdepartmental program, coordinated and administered by the Creeks Division. She stated that she and Mr. Burgess, Water Resources Specialist, have been meeting with City departments responsible for Best Management Practice (BMP) implementation, and preparing

databases to help these departments with annual reporting while also tracking the City's progress and measurable goals.

Ms. McKee stated that the SWMP has six Minimum Control Measures – Education and Outreach, Illicit Discharge Elimination, Construction Site Runoff Control, Post-construction Runoff Control, and Good Housekeeping – that the City must address. She gave an update on the SWMP implementation tasks addressed since January 2006.

Education and Outreach – Ms. McKee said that a bilingual door hanger is being designed. The purpose of the door hanger is to 1) alert residents that a polluted discharge has been found in the neighborhood, 2) requests assistance in locating the source, and 3) avoid similar types of discharge in the future.

Illicit Discharge Elimination – Ms. McKee said that a parking lot inventory and the Business Technical Assistance Program (focusing on the restaurant and automotive industries) were implemented.

Construction Site Runoff Control – Ms. McKee said that she and Mr. Burgess have been meeting with Building and Safety Inspectors to confirm that they are tracking their BMP inspections and complying with the existing Erosion and Sedimentation Control Policy. She said that the existing Erosion and Sedimentation Control Policy is also being evaluated for effectiveness and to assess the need for an ordinance revision.

Post-construction Runoff Control – Ms. McKee said Creeks Division staff has been working with Planning and Engineering staff to include the NPDES regulations in the City's Standard Conditions of Approval for development projects subject to discretionary review.

Good Housekeeping – Ms. McKee said that Creeks Division staff has met with approximately 180 City staff responsible for streets, parks, water distribution, infrastructure, and building maintenance. She said that the purpose of these meetings was to introduce the SWMP requirements and encourage participation in the reporting of illicit discharges. She said that a comprehensive training program is being developed to incorporate water quality improvement strategies in the day-to-day activities of the City's operations staff.

Mr. Burgess gave a brief review of the Creeks Division Enforcement Program. He said that the objective of the program is to identify and eliminate sources of water pollution reaching City streets, storm drains, creeks, and the ocean.

Mr. Burgess stated that illicit discharges are detected and reported by City and County staff, and residents. He said that he and Ms. McKee collaborate with other City Environmental Services staff, Wastewater staff, Building & Safety staff and County Project Clean Water staff.

Mr. Burgess said that when water pollution is detected, Creek Division staff visit the site to assess whether the reported pollution is a violation or not. He said that if a violation is found, the responsible party is notified and told to abate the polluting practice. He said that staff follows up within 24-hours.

Mr. Burgess stated that a Notice of Violation (NOV) is issued when there is significant discharge, the action is likely to occur repeatedly, or the violating party has received prior verbal warning. Depending on the type of violations, he said that the violator is told to abate the practice within five days. He said that Administrative Citation can be issued if the discharge is not abated and that of the 241 calls received in FY06, 40 violators received a Notice of Violation and three violators received a citation. He said that between March and August 2006, 164 enforcement calls were received and 30 of them warranted a Notice of Violation.

Mr. Burgess stated that a Notice of Violation is not issued if reported violation cannot be located, the discharge is exempt, the discharger cannot be found, or the violation falls under the jurisdiction of another department. He also said that in June 2006 the Creeks Division began to issue NOVs in the field. A formal NOV is mailed to the violator or property owner.

Mr. Burgess closed by saying that in the past six months, the most common illicit discharges have been from construction site runoff, restaurant washing, and commercial car washing.

### **Committee Discussion**

Mr. Jordan asked how hardscape washing practices are being addressed. He recommended that staff follow-up with the reporting property and asked if staff trusts the reporting party although the violation may not be present when staff assesses the location. He asked if the SWMP program expenses would be itemized in the Creeks Division budget.

- Mr. Burgess responded that the Clean Water Business program is designed to encourage businesses to implement clean water practices. He added that street and sidewalk washing is exempt under the Municipal Code but the washing of parking lots and commercial premises is a violation. Mr. Burgess responded that without a photograph, an NOV is not issued if staff has not seen the reported problem.
- Ms. Zachary responded that side walk washing is currently permitted but the City is working to create alternative practices that would first apply to the downtown area and later to the private sector. She responded that Creeks staff is tracking their hours related to the SWMP and the Creeks Division will be reimbursed by the various City departments.

Mr. Moldaver recommended that the Creeks Division meet with the Building Trades Council and Alliance, the Associated General Contractors, Santa Barbara Chamber of Commerce, Hispanic Chamber, and Allied Neighborhood Association. He asked if staff has approached the Vice President for Adult Education at Santa

Barbara City College regarding a water quality certification program.

- Ms. Zachary responded that with respect to a water quality certification program, it is critical to go directly to the business location to make it easier for the owner, managers, and employees.

Mr. Wilson asked for clarification regarding commercial car washing. He asked how the coordination with City Building Inspectors works.

- Mr. Burgess responded that commercial car washing is the washing of a vehicle by a commercial business with wash water making its way to the storm drain.
- Ms. McKee responded that she has met with the supervisors of Building and Maintenance Inspectors to discuss the tracking of BMPs noted on construction plans versus the BMPs implemented in the field. She said that the SWMP requires that inspections be tracked and confirm that the applicant is implementing the appropriate BMPs.

Mr. Pritchett asked when other City departments will be able to report on all water quality related violations. He asked what type of evidence is needed to warrant an NOV.

- Ms. Zachary responded that all BMPs related to the enforcement of City codes, ordinances, and policies in the SWMP will be reported annually in the SWMP. She said that enforcement issues referred to the County will not be reported.
- Mr. Burgess responded that a citation is issued if the Notice of Violation has been issued and the violation continues.
- Ms. Longstreet stated that the administrative citation is \$100 for each day that the violation occurs and that the second citation is \$150/day.

Mr. Wilson stated that a \$150 per day is not excessive and recommended \$250/day.

**b. Review and Approve Creeks Advisory Committee Composition, Roles and Responsibilities and appoint a Committee member to attend the October 3, 2006 City Council meeting**

Mr. Hochman stated that the Strategic Planning subcommittee (Hochman, Klobucher, Pritchett, and Phillips) recently met several times and the work effort was presented to the full Committee at a work session. He said that the Committee asked the subcommittee to assess the role of liaisons to other City boards and commissions. He said that tonight's action will be presented to the Council on October 3, 2006 in order to be adopted by Council resolution. Mr. Hochman added that Committee bi-laws can be drafted in the future.

Mr. Hochman stated that at the Committee work session, it was decided to decrease the number of Committee members from nine to seven. He said that representation by the Hotel/Lodging Industry and Environmental/Land Use groups would be ensured although the number of Committee members would be reduced.

He said that the ability of Committee members to serve as liaisons to other commissions and committees has been included in the Committee Composition, Roles and Responsibilities.

Mr. Moldaver recommended that either Mr. Hochman or Ms. DeVoe attend the October 3, 2006 Council meeting.

Ms. Zachary stated that a resolution would be drafted and presented to Council. She said that the resolution would incorporate the recommendations of the Committee specific to voting membership, appointments, and liaisons from the Committee to other boards and commissions.

**ACTION:**

**Hochman moved, seconded by Pritchett, and passed 6/0 that the Committee approve the attached Committee Composition, Roles and Responsibilities document with the words “or fewer” deleted from item 1a.**

Ms. DeVoe stated that she will attend the October 3, 2006 Council meeting to present the Committee's recommendations from the July 10, 2006 joint meeting with the Park and Recreation Commission regarding the Veronica Meadows Specific Plan.

- Mr. Pritchett stated that he also intends to attend the October 3, 2006 Council meeting to address the Veronica Meadows Specific Plan.
- Mr. Moldaver stated that the Committee just voted to appoint a single voice that acts on behalf of the Committee and he supports the highest ranking committee member to speak on behalf of the Committee. He said that, in this case, the Committee's official position should be articulated by Ms. DeVoe. He said that anyone else that attends a public meeting is presenting a personal view, not the Committee's view.
- Mr. Wilson stated that he understood the recommendation to mean that the Committee would discuss and send a member to speak on behalf of the Committee.

**ACTION:**

**Moldaver moved, seconded by Wilson, and passed 6/0 that the Committee appoint Hochman to represent the Committee's recommendations at the October 3, 2006 City Council meeting.**

**8. STAFF REPORT**

**a. Manager's Program Update**

Ms. Zachary reviewed the Manager's Program Update. She stated that Creek Week will be held October 7<sup>th</sup> – 15<sup>th</sup> with a Water Quality Forum tentatively scheduled for October 11<sup>th</sup>, which is the date of next regularly scheduled Committee meeting. She said that the 5-Year Water Quality Report would be presented and Dr. Holden would present her findings on the DNA-based Microbial

Source Tracking. Ms. Zachary stated that Creek Week activities include water quality monitoring days, a guided hike, a bird walk, creek and lagoon clean-ups, and community planting days.

Ms. Zachary said that the civil construction work at the Arroyo Burro Estuary and Mesa Creek Restoration project is complete. She also stated that the Creeks Division, [www.sbcreeks.com](http://www.sbcreeks.com), website has been updated and may be redesigned in the fall.

Ms. Eddington stated the Jody Rundle, County Waste Management, is the county coordinator of Coastal Clean-up Day. She said that the debris collected is counted and the data is used by the Coastal Commission to draft policy.

**b. Tentative Meeting Agenda**

Ms. Zachary reviewed the tentative meeting agenda.

**9. ADJOURNMENT**

At 7:02 p.m. there being no further business to come before the Committee,

**ACTION:**

**Hochman moved, seconded by Wilson and passed 6/0 that the meeting be adjourned to a strategic planning worksession.**

Respectfully submitted,

Jill E. Zachary  
Creeks Restoration/Clean Water Manager